

Missoula County Attorney

Special Deputy Missoula County Attorney
Special Assistant Montana Attorney General

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Helena, MT 59601

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Attorneys for the Plaintiff

SHIRLEY E. FAUST, CLERK

By Casie Krach

THE STATE OF MONTANA,

Plaintiff,

VS.

KEVIN W. KOLENDA,

Defendant.

Dept. No.:

Cause No.: DC-12-200

INFORMATION

The State of Montana, by and through the Missoula County Attorney's Office,
having first obtained leave of the Court, files this information accusing the Defendant,
KEVIN W. KOLENDA, of having committed the following offenses:

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COUNT ONE

That on or about July 2010 through February 2011 in Missoula County, Montana, the Defendant committed the offense of INSURANCE FRAUD, a FELONY, in violation of Mont. Code Ann. § 33-1-1202(4).

The facts constituting this offense are as follows:

That at the times and place mentioned above, the Defendant purposely or knowingly accepted premium money knowing that coverage would not be provided.

Specifically, the Defendant purposely or knowingly accepted premium money knowing that coverage would not be provided by accepting \$967 in premium and failing to provide \$18,000 in coverage for a qualifying event, namely, T.P. obtaining a hole-in-one at the Missoula Country Club on hole 12 on August 13, 2010.

Pursuant to Mont. Code Ann. §§ 33-1-1211(2) and 45-6-301(8)(b)(i), the offense is punishable by a fine not to exceed \$50,000 and/or be imprisoned in a state prison for a term not to exceed 10 years.

COUNT TWO

That on or about July 2010 through February 2011 in Missoula County, Montana, the Defendant committed the offense of ACTING AS AN INSURANCE PRODUCER WIHOUT A LICENSE, a MISDEMEANOR, in violation of Mont. Code Ann. §§ 33-17-201 and 1004.

The facts constituting this offense are as follows:

1 That at the times and place mentioned above, the Defendant sold, solicited, or
2 negotiated insurance or acted as an insurance producer in Montana without being
3 licensed.
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5 Specifically, the Defendant sold, solicited, or negotiated insurance or acted as
6 an insurance producer in Montana without being licensed by selling, soliciting, and
7 negotiating insurance when he accepted premium money in exchange for providing
8 coverage of \$18,000 in cash if someone obtained a hole-in-one at the Missoula
9 Country Club on hole 12 on August 13, 2010.
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12 Pursuant to Mont. Code Ann. § 33-17-1004(2), the offense is punishable for a
13 first conviction by a fine not to exceed \$500 or be imprisoned in a county jail for a
14 term not to exceed 90 days, or both. For a second conviction, the person shall be fined
15 an amount not to exceed \$1,000 or be incarcerated for a term not to exceed 1 year, or
16 both. For a third or subsequent conviction, the person shall be fined an amount not to
17 exceed \$5,000 or incarcerated for a term not to exceed 2 years, or both.
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20 DATED this 3rd day of May, 2012.
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23 **JESSE LASLOVICH**
24 Special Deputy Missoula County Attorney
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